

IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE TWENTY FIRST DAY OF APRIL
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE K.C. BHANU

WRIT PETITION NO : 9014 of 2005

Between:

Z. John, S/o. Z. Raja Rao,
Khammam Depot, Khammam District.

..... PETITIONER

AND

- 1 The Regional Manager, APSRTC, Khammam Region, Khammam.
- 2 The Depot Manager, APSRTC, Khammam.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to Issue a writ of Mandamus declaring the action of the respondents in not giving former post to the petitioner as a Mechanic is arbitrary, illegal, discrimination and violation of principles of natural justice and consequently direct the respondents to give posting to the petitioner as a Mechanic which is his original post with all consequential and attendant benefits by considering his representation dt. 23.12.2004.

Counsel for the Petitioner: MR.K.VENKATESWARLU

Counsel for the Respondents: SMT.P.RAJANI REDDY, S.C. for APSRTC

The Court made the following :

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ORAL ORDER:

This writ petition is filed seeking a Mandamus to declare the action of the respondents in not giving the former post of Mechanic to the petitioner as arbitrary, illegal and in violation of principles of natural justice.

Heard the learned counsel for the petitioner and the learned standing counsel for the respondents and perused the material on record.

Consequent on the opinion given by the Medical Officer, the petitioner was unfit to discharge the duties of the post held by him. The contention of the petitioner is that he is able to discharge his duties as Mechanic in the Corporation.

An appropriate decision has to be taken by the respondents in accordance with the rules and regulations on the petitioner's representation, which is pending with the 1st respondent.

Therefore, I do not wish to say anything on the merits of the case, but consider it appropriate to direct the 1st respondent to consider the representation, dated 23.12.2004 of petitioner in accordance with the regulations and circular instructions and take appropriate decision within a period of two months from the date of receipt of a copy of this order.

With the above direction, the writ petition is disposed of. In the circumstances of the case, there shall be no order as to costs.

(K.C. BHANU, J.)

21st April, 2005

bcj

To

- 1 The Regional Manager, APSRTC, Khammam Region, Khammam.
- 2 The Depot Manager, APSRTC, Khammam.
- 3 Two C.D. copies.

Note: Furnish copy in three days

B/o

bcj